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09/755,955	01/05/2001	Patrick Kerpan	3343/01048	5180

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DARBY & DARBY P.C.  
805 Third Avenue  
New York, NY 10022

EXAMINER

KENDALL, CHUCK O

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 08/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/755,955

Applicant(s)

KERPAN ET AL.

Examiner

Chuck Kendall

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is in response to the application filed 04/30/01.
2. Claims 1 - 7 have been amended and claims 8 – 14 have been added.

### Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1 - 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Reed et al. USPN 5,862,325.

Regarding claim 1, Reed anticipates an object-oriented temporal context programming system comprising:

data objects, each data object defining a class of object with at least one attribute, said attribute being at least relatively persistently stored in the database with an indication of the effective time of the attribute (Col. 58:48-50, see "date/time ...", also see 59: 5 – 15), any change in attribute also being at least relatively persistently stored in the data object along with an indication of the time of effect of the change in the attribute (Col. 9:40-50, see change and update data metadata and methods, also see 69: 10 – 15, where Reed discloses allowing a user to dynamically generate and persistently store provider-specific data type definitions in the consumer database ); and

methods which the class can carry out, said methods having an argument which is effective time (Col. 58:48-50, see "date/time ..."), said method being at least

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relatively persistently (69: 10 –15) stored in the database with an indication of the effective time of the method, any change in said method also being at least relatively persistently (69: 10 – 15, where Reed discloses allowing a user to dynamically generate and persistently store provider-specific data type definitions in the consumer database ) stored in the data object along with an indication of the time of effect of the change in the method, execution of said method with a particular time argument utilizing the attributes of the effected data objects and the particular method in effect for the particular time specified (Col.59:40-55).

Regarding claim 2, Reed anticipates an object-oriented temporal context programming system comprising:

data objects, each data object defining a class of object with at least one attribute, said attribute being at least relatively persistently (69: 10 –15) stored in the database with an indication of the effective time of the attribute(Col. 58:48-50, see "date/time ..."), any change in attribute also being stored at least relatively persistently (59: 5 –15) in the data object along with an indication of the time of effect of the change in the attribute (Col.59:45 - 50, also see "If-Modified-Since" parameter for data object); and

methods which the class can carry out, said methods having an argument which is effective time, execution of said method with a particular time argument utilizing the attributes of the effected data objects in effect for the particular time specified (Col.59:45-50, see update method).

Regarding claim 3, which recites similar limitations as claim 1, with regards to effective time and change in said method see rationale as previously discussed above in claim 1.

Regarding claim 4, Reed anticipates an object-oriented temporal context programming system comprising:

data objects, each data object defining at least relatively persistently (69: 10 –15) a class of object with attributes, at least one attribute of one data object being stored at least relatively persistently (59: 5 –15) in the database with an indication of the context

of the attribute, any change in attribute also being stored at least relatively persistently (59: 5- 15, and 69: 10 -1569: 10 – 15, where Reed discloses allowing a user to dynamically generate and persistently store provider-specific data type definitions in the consumer database) in the data object along with an indication of the context of the change in the attribute (Col.59:45-50, see “If-Modified-Since” parameter for data object); and

methods which the class can carry out, at least one of said methods having an argument which is an indication of context, said method being stored at least relatively persistently (69: 10 –15) in the database with an indication of the context of the method, any difference in said method also being stored in the data object along with an indication of the context of the difference in the method, a method executed with a particular context argument utilizing the attributes of the effected data objects and the method in effect for the particular context (Col.59:40-55, also see Reed et seq.).

Regarding claim 5, an object-oriented temporal context programming system as claimed in claim 4 wherein the context is a version of an application program, so that by identifying a particular context a different version of the application program runs and gives the user a different vantage point from which to experience the program (Col.10:5-15, see updated version).

Regarding claim 6, which recites similar limitations as recited in claim 4 see rationale as previously discussed above.

Regarding claim 7, which recites similar limitations as recited in claim 4 see rationale as previously discussed above.

Regarding claim 8, a temporal context programming system as claimed in any one of claims 1 – 3, further including a new attribute added to said data object and being stored in the database with an indication of the effective time of the new attribute, which effective time is subsequent to existing times in the database (59: 40 - 60).

Regarding claim 9, an object-oriented context programming system as claimed in any one of claims 4 -7, further including a new attribute added to said data object and

being stored in the database with an indication of the context of the new attribute (69: 2 –5).

Regarding claim 10, an object-object oriented temporal context programming system as claimed in any one claims 1-3, wherein the execution of said method is with respect to a time in the past (59: 52 – 55).

Regarding claim 11, an object-object oriented temporal context programming system as claimed in claim 10 wherein one attribute has an additional context of an error and an equivalent attribute has an additional context of the error corrected, and wherein the methods can be run to show the effect in the past both with and without the error (59: 20 –25).

Regarding claim 12, an object-object oriented temporal context programming as claimed in any of claims 1-3, wherein said data objects is formed from a temporal base object as a subclass of the base object which inherits its temporal context capabilities of reading (getting) or storing (setting) (21: 27 – 33).

Regarding claim 13, an object-object oriented temporal context programming as claimed in any of claims 1-3, wherein said data object is formed from a temporal base object as a subclass of the base object which inherits its temporal context capabilities of reading(getting) or storing(setting) (21: 27 – 33).

Regarding claim 14, an object-object oriented temporal context programming as claimed in any of claims 4-7, wherein said data objects is formed from a base object as a subclass of the base object which inherits its context capabilities of reading (getting) or storing (setting) (21: 27 – 33).

### ***Response to Arguments***

5. Applicant's arguments filed 04/30/2001 have been fully considered but they are not persuasive.

Argument (1), Applicant argues in page 14 of response dated 4/30/2001 that Reed doesn't explicitly disclose the ability to review the original value of the attribute because it does not persist after an update.

Response (1), Applicants argument is moot because Applicant is arguing for an unclaimed merit of distinction. Even though Examiner does not believe that Reed doesn't disclose this limitation as argued by Applicant, Applicant's does not exclude the ability to not persist after an update as claimed. However, Applicants claim recites "any change in attribute also being at least relatively persistently stored in the data object along with an indication of the time of effect of the change in the attribute ", and this taught in Reed in 69: 10 – 15, where Reed discloses allowing a user to dynamically generate and persistently store provider-specific data type definitions in the consumer database.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### Correspondence Information

7. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Chuck O. Kendall who may be reached via telephone at (703) 308-6608. The examiner can normally be reached Monday through Friday between 8:00 A.M. and 5:00 P.M. est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam *can be reached at (703) 305-4552.*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

For facsimile (fax) send to central FAX number 703-872-9306 and 703-7467240 draft.

Chuck Kendall

Patent Examiner AU 2122



**TUAN DAM**  
**SUPERVISORY PATENT EXAMINER**